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IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

APPLICANT(s): Schwartz, et al.

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ART UNIT: 2166

FILING DATE: 5/19/1999

EXAMINER: Rimell, S.

TITLE: TECHNIQUE FOR EFFECTIVELY GENERATING  
MULTIDIMENSIONAL SYMBOLS REPRESENTING POSTAL  
INFORMATION

ATTORNEY

DOCKET NO.: 770-P009580-US (PCT)

Commissioner of Patents  
Washington, D.C. 20231

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Technology Center 2100

RESPONSE

Sir:

This is in response to the Office Action mailed 1/2/02 (Paper No. 9) in regard to the above-identified patent application. Reconsideration of the rejection of the claims is respectfully solicited in light of the following remarks.

#### REMARKS

It is respectfully submitted that printed matter can give rise to patentability, see In re Gulack 217 USPQ 401, 403-4. Also, a bar code, data matrix symbol, postage and register values, a bit map, first and second coded symbols, mail class, etc., are structural. Even if they are considered to be functional, such limitations must be given patentable weight, see Wright Medical Technology Inc. v. Osteonics Corp., 43 USPQ 2d 1837, 1840; K-2



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